

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: <u>06/16/06</u>		2 Serial/Patent # <u>09/938,457</u>										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
	Filing			\$								
	Amendment			\$								
	Extension of Time			\$								
	Notice of Appeal/Appeal			\$								
X	Petition		06/07/05 05/24/05	\$ <del>130</del> \$130 = 260.00								
	Issue			\$								
	Cert of Correction/Terminal Disc.			\$								
	Maintenance			\$								
	Assignment			\$								
	Other			\$								
			7 TOTAL AMOUNT OF REFUND		\$ 260.00							
			8 TO BE REFUNDED BY:									
10 REASON:			Treasury Check									
	Overpayment	X Credit Deposit A/C #:										
	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">0</td> <td style="width: 20px;">9</td> <td style="width: 20px;">--</td> <td style="width: 20px;">0</td> <td style="width: 20px;">4</td> <td style="width: 20px;">6</td> <td style="width: 20px;">6</td> </tr> </table>				0	9	--	0	4	6	6
0	9	--	0	4	6	6						
X	No Fee Due (Explanation):											
No petition fee due for 181 withdraw abd. pet. Two pet fees were charged in error.												
11 REFUND REQUESTED BY:												
TYPED/PRINTED NAME: <u>Shirene Willis Brantley</u>		TITLE: <u>Petitions Attorney</u>										
SIGNATURE: _____		PHONE: <u>272-3230</u>										
OFFICE: <u>Office of Petitions</u>												
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****												
APPROVED: <u>CKH</u>		DATE: <u>6/22/06</u>										

*Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:*

**Office of Finance  
Refund Branch  
Crystal Park One, Room 802B**

RECEIVED  
CENTRAL FAX CENTER

MAY 24 2005

Practitioner's Docket No. IBM1P008/SJ0920010135US1

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Robert G. Biskeborn

Application No.: 09/938,457

Group No.: 11/04/2004

Filed: 08/23/2001

Examiner: Eley, Timothy V.

For: PIN ADAPTER FOR AIR BEARING SURFACE (ABS) LAPPING AND METHOD FOR USING THE SAME

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
— OFFICE ACTION NOT RECEIVED

1. I hereby petition to withdraw the holding of abandonment in this case, on the basis that the Office Action forming the basis of the abandonment was not received.
2. I hereby state:
  - (a) The Office Action indicated, as mailed on November 4, 2004, was not received.
  - (b) A search of the file jacket and the docket records in my office indicates that this Office Action was not received.

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

as "Express Mail Post Office to Addressee"

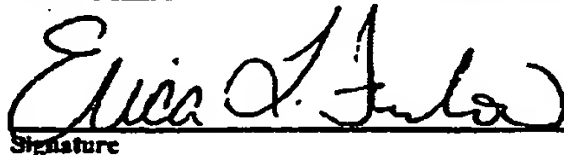
Mailing Label No. \_\_\_\_\_ (mandatory)

## TRANSMISSION

✓ facsimile transmitted to the Patent and Trademark Office, (703) 872-9306.

Date:

5/24/2005

  
Signature

Erica L. Farlow

(type or print name of person certifying)

\* Only the date of filing ("1.6") will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under "1.8" continues to be taken into account in determining timeliness. See "1.703(f)". Consider "Express Mail Post Office to Addressee" ("1.10") or facsimile transmission ("1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

05/26/2005 EFLDRES 00000153 090466 09938457

Petition to Withdraw Holding of Abandonment—Office Action Not Received—page 1 of 2

01 FC:1464 130.00 DA

PAGE 2/10 \* RCVD AT 5/24/2005 5:43:44 PM [Eastern Daylight Time] \* SVR:USPTO-EFXXF-1/1 \* DNIS:8729306 \* CSID:408 971 4660 \* DURATION (mm-ss):03-20

Adjustment date: 06/22/2006 CKHLOK  
05/26/2005 EFLDRES 00000153 090466 09938457  
01 FC:1464 130.00 CR

Jun 07 05 02:12p

SVIPG

INVENTORIAL DIVISION  
408 971 4868



**ZILKA-KOTAB**  
PC  
ZILKA, KOTAB & FEECE<sup>TM</sup>

2005 JUN -9 AM 9:30

IFN P. 1  
RECEIVED  
CENTRAL FAX CENTER  
JUN 07 2005

95 SOUTH MARKET ST., SUITE 420  
SAN JOSE, CA 95113

TELEPHONE (408) 971-2573  
FAX (408) 971-4660

FAX COVER SHEET

Date: June 7, 2005	Phone Number	Fax Number
To: Petitions Division, USPTO		(703) 872-9306
From: Dominic M. Kotab		

Docket No.: IBM1P008/SJ09-2001-0135US1

App. No: 09/938,457

Total Number of Pages Being Transmitted, Including Cover Sheet: 10

Message:

Please deliver to the Petitions Division.

Thank you,

Dominic M. Kotab

RECEIVED

JUN 13 2005

OFFICE OF PETITIONS

☐ Original to follow Via Regular Mail ☒ Original will Not be Sent ☐ Original will follow Via Overnight Courier

06/10/2005 DALLEN 00000016 090466 09938457

01 FC:1464 130.00 BA

\*\*\*\*\*  
The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (if long distance, please call collect) and return the original message to us at the above address via the U.S. Postal Service. Thank you.  
\*\*\*\*\*

IF YOU DO NOT RECEIVE ALL PAGES OR IF YOU ENCOUNTER  
ANY OTHER DIFFICULTY, PLEASE PHONE Erica  
AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

June 7, 2005

Adjustment date: 06/22/2006 CKHLOK  
06/10/2005 DALLEN 00000016 090466 09938457  
01 FC:1464 130.00 CR

RECEIVED  
OIPE/IAP

JUL 15 2005